

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING NOTICE REQUIREMENTS FOR BALLOT ISSUES;  
5 REQUIRING THE SECRETARY OF STATE TO POST THE COMPLETE TEXT OF A PROPOSED OR  
6 REFERRED BALLOT ISSUE ONLINE; REQUIRING SIGNATURE SHEETS TO INCLUDE THE SECRETARY  
7 OF STATE'S WEB ADDRESS; AMENDING SECTIONS 13-27-201, 13-27-204, 13-27-205, 13-27-207, 13-27-  
8 208, AND 13-27-311, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11  
12 **Section 1.** Section 13-27-201, MCA, is amended to read:

13 **"13-27-201. Form of petition generally.** (1) A petition for the initiative, for the referendum, or to call a  
14 constitutional convention must be substantially in the form provided by this chapter. Clerical or technical errors  
15 that do not interfere with the ability to judge the sufficiency of signatures on the petition do not render a petition  
16 void.

17 (2) (a) Petition sheets may not exceed 8 1/2 x 14 inches in size. Separate sheets of a petition  
18 may be fastened in sections of not more than 25 sheets.

19 (b) \_\_\_\_\_ Near the top of each sheet containing signature lines there must be printed:

20 (i) \_\_\_\_\_ the title of the statute or constitutional amendment proposed or the issue to be referred or a  
21 statement that the petition is for the purpose of calling a constitutional convention; and

22 (ii) \_\_\_\_\_ the general web address for the secretary of state's website, and the specific web address  
23 where the secretary of state has posted the complete text of the issue proposed or referred, pursuant to 13-27-  
24 208.

25 (c) \_\_\_\_\_ If signature lines are printed on both the front and back of a petition sheet, the information  
26 required ~~above in subsection (2)(b)~~ must appear on both the front and back of the sheet. ~~The complete text of~~  
27 ~~the issue proposed or referred must be attached to or contained within each signature sheet if sheets are~~  
28 ~~circulated separately. The text of the issue must be in the bill form provided in the most recent edition of the bill~~

1 ~~drafting manual furnished by the legislative services division. If sheets are circulated in sections, the complete~~  
2 ~~text of the issue must be attached to each section.~~

3 (3) An internet posting of petition language must include a statement that the petition language  
4 and format may not be modified. An internet posting must include an affidavit in substantially the same form as  
5 prescribed by the secretary of state pursuant to 13-27-302."  
6

7 **Section 2.** Section 13-27-204, MCA, is amended to read:

8 **"13-27-204. Petition for initiative.** (1) The following, including the language provided for in  
9 subsection (2)(b), is substantially the form for a petition calling for a vote to enact a law by initiative:

10 PETITION TO PLACE INITIATIVE NO. \_\_\_\_ ON THE ELECTION BALLOT

11 (a) If 5% of the voters in each of one-half of the counties sign this petition and the total number of  
12 voters signing this petition is \_\_\_\_\_, this initiative will appear on the next general election ballot. If a majority of  
13 voters vote for this initiative at that election, it will become law.

14 (b) We, the undersigned Montana voters, propose that the secretary of state place the following  
15 initiative on the \_\_\_\_\_, 20\_\_, general election ballot:

16 (Title of initiative written pursuant to 13-27-312)

17 (Statement of purpose and implication written pursuant to 13-27-312)

18 (Yes and no statements written pursuant to 13-27-312)

19 (c) Voters are urged to read the complete text of the initiative, ~~which appears (on the reverse side~~  
20 ~~of, attached to, etc., as applicable) this sheet, which is available online on the secretary of state's website.~~ A  
21 signature on this petition is only to put the initiative on the ballot and does not necessarily mean the signer  
22 agrees with the initiative.

23 (d) Voters are advised that either an interim committee or an administrative committee of the  
24 legislature in accordance with 5-5-215 or 5-11-105 reviewed the content of this initiative and [did] or [did not]  
25 support the placement of the proposed text of this initiative on the ballot. The outcome of the vote was [x] in  
26 favor of placing the measure on the ballot and [x] against placing the measure on the ballot.

27 (e)

28 WARNING

1 A person who purposefully signs a name other than the person's own to this petition, who signs more  
2 than once for the same issue at one election, or who signs when not a legally registered Montana voter is  
3 subject to a \$500 fine, 6 months in jail, or both.

4 (f) Each person is required to sign the person's name and list the person's address or telephone  
5 number in substantially the same manner as on the person's voter registration form or the signature will not be  
6 counted.

7 (2) (a) If the attorney general determines the proposed ballot issue will likely cause significant  
8 material harm to one or more business interests in Montana pursuant to 13-27-312(9), the statement in  
9 subsection (2)(b) must appear on the front page of the petition form before the information set forth in  
10 subsection (1).

11 (b)

12 WARNING

13 The Attorney General of Montana has determined the proposed ballot issue will likely cause significant  
14 material harm to one or more business interests in Montana.

15 (3) Numbered lines must follow the heading. Each numbered line must contain spaces for the  
16 signature, date, residence address, county of residence, and printed last name and first and middle initials of  
17 the signer. In place of a residence address, the signer may provide the signer's post-office address or the  
18 signer's home telephone number. An address provided on a petition by the signer that differs from the signer's  
19 address as shown on the signer's voter registration form may not be used as the only means to disqualify the  
20 signature of that petition signer."

21

22 **Section 3.** Section 13-27-205, MCA, is amended to read:

23 "**13-27-205. Petition for referendum.** (1) The following is substantially the form for a petition calling  
24 for approval or rejection of an act of the legislature by the referendum:

25 PETITION TO PLACE REFERENDUM NO. \_\_\_\_\_

26 ON THE ELECTION BALLOT

27 (a) If 5% of the voters in each of 34 legislative representative districts sign this petition and the  
28 total number of voters signing the petition is \_\_\_\_\_, Senate (House) Bill Number \_\_\_\_\_ will appear on the next

1 general election ballot. If a majority of voters vote for this referendum at that election it will become law.

2 (b) We, the undersigned Montana voters, propose that the secretary of state place the following  
3 Senate (House) Bill Number \_\_\_\_\_, passed by the legislature on \_\_\_\_\_ on the next general election  
4 ballot:

5 (Title of referendum written pursuant to 13-27-312)

6 (Statement of purpose and implication written pursuant to 13-27-312)

7 (Yes and no statements written pursuant to 13-27-312)

8 (c) Voters are urged to read the complete text of the referendum, ~~which appears (on the reverse~~  
9 ~~side of, attached to, etc., as applicable) this sheet,~~ which is available online on the secretary of state's website.

10 A signature on this petition is only to put the referendum on the ballot and does not necessarily mean the signer  
11 agrees with the referendum.

12 (d)

13 **WARNING**

14 A person who purposefully signs a name other than the person's own to this petition, who signs more  
15 than once for the same issue at one election, or signs when not a legally registered Montana voter is subject to  
16 a \$500 fine, 6 months in jail, or both.

17 (e) Each person is required to sign the person's name and list the person's address or telephone  
18 number in substantially the same manner as on the person's voter registration form or the signature will not be  
19 counted.

20 (2) Numbered lines must follow the heading. Each numbered line must contain spaces for the  
21 signature, date, residence address, legislative representative district number, and printed last name and first  
22 and middle initials of the signer. In place of a residence address, the signer may provide the signer's post-office  
23 address or the signer's home telephone number. An address provided on a petition by the signer that differs  
24 from the signer's address as shown on the signer's voter registration form may not be used as the only means  
25 to disqualify the signature of that petition signer."  
26

27 **Section 4.** Section 13-27-207, MCA, is amended to read:

28 **"13-27-207. Petition for initiative for constitutional amendment.** (1) The following is substantially

1 the form for a petition for an initiative to amend the constitution:

2 PETITION TO PLACE CONSTITUTIONAL

3 AMENDMENT NO. \_\_\_\_ ON

4 THE ELECTION BALLOT

5 (a) If 10% of the voters in each of one-half of the counties sign this petition and the total number of  
6 voters signing the petition is \_\_\_\_\_, this constitutional amendment will appear on the next general election  
7 ballot. If a majority of voters vote for this amendment at that election, it will become part of the constitution.

8 (b) We, the undersigned Montana voters, propose that the secretary of state place the following  
9 constitutional amendment on the \_\_\_\_\_, 20\_\_, general election ballot:

10 (Title of the proposed constitutional amendment written pursuant to 13-27-312)

11 (Statement of purpose and implication written pursuant to 13-27-312)

12 (Yes and no statements written pursuant to 13-27-312)

13 (c) Voters are urged to read the complete text of the constitutional amendment, ~~which appears (on~~  
14 ~~the reverse side of, attached to, etc., as applicable) this sheet, which is available online on the secretary of~~  
15 state's website. A signature on this petition is only to put the constitutional amendment on the ballot and does  
16 not necessarily mean the signer agrees with the amendment.

17 (d)

18 WARNING

19 A person who purposefully signs a name other than the person's own to this petition, who signs more  
20 than once for the same issue at one election, or who signs when not a legally registered Montana voter is  
21 subject to a \$500 fine, 6 months in jail, or both.

22 (e) Each person is required to sign the person's name and list the person's address or telephone  
23 number in substantially the same manner as on the person's voter registration form or the signature will not be  
24 counted.

25 (2) Numbered lines must follow the heading. Each numbered line must contain spaces for the  
26 signature, date, residence address, county of residence, and printed last name and first and middle initials of  
27 the signer. In place of a residence address, the signer may provide the signer's post-office address or the  
28 signer's home telephone number. An address provided on a petition by the signer that differs from the signer's

1 address as shown on the signer's voter registration form may not be used as the only means to disqualify the  
2 signature of that petition signer."

3

4 **Section 5.** Section 13-27-208, MCA, is amended to read:

5 **"13-27-208. Petitions to be made available online and in each county election administrator's**  
6 **office.** Upon final approval of a proposed ballot issue as provided in 13-27-202, the secretary of state shall:

7 (1) post a copy of the petition on the secretary of state's website; and

8 (2) forward a copy of the petition, along with signature sheets, to the election administrator of each  
9 county. The election administrator shall make a copy of each approved petition available for reading in the  
10 administrator's office during business hours in an election year until the petitions are submitted under 13-27-  
11 301. The secretary of state may charge the person who submitted the proposed ballot issue a fee, which must  
12 be set and deposited in accordance with 2-15-405."

13

14 **Section 6.** Section 13-27-311, MCA, is amended to read:

15 **"13-27-311. Publication of proposed constitutional amendments.** (1) If a constitutional  
16 amendment proposed by initiative is submitted to the people, the secretary of state shall have the proposed  
17 amendment published in full on the secretary of state's website and twice each month for 2 months prior to the  
18 election at which it is to be voted upon by the people in not less than one newspaper of general circulation in  
19 each county.

20 (2) (a) For a proposed constitutional amendment referred to the voters by the legislature, the  
21 secretary of state:

22 (i) shall publish the amendment in full on the secretary of state's website; and

23 (ii) may arrange for newspaper publication or radio or television broadcast of the amendment, in  
24 each county.

25 (b) The ballot statements reviewed or prepared by the attorney general for the amendment, as  
26 described in 13-27-312 or 13-27-315, are sufficient for the publication allowed by ~~this~~ subsection (2)(a)(ii) and  
27 should be made at least twice each month for 2 months prior to the election.

28 (c) The secretary of state shall select the method of notification in subsection (2)(a)(ii) that the

1 secretary of state believes is best suited to reach the largest number of potential electors."

2

3 NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval.

4 - END -